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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,857	08/18/2003	Gregory Andrew Roy	G&C 30566.17-US-C3	3664

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Attention of Jason S. Feldmar
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Suite 1050, 6701 Center Drive West
Los Angeles, CA 90045

EXAMINER

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/642,857	Applicant(s) ROY ET AL.	
	Examiner Phu K. Nguyen	Art Unit 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/03, 6/04 & 6/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-6, 8-10, 12-13, 15-17, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over GOODENOUGH et al. (Queries and Their Application to Reasoning with Remote Sensing and GIS) in view of DRUTMAN et al. (Marine Geophysics Modeling With Geographic Information Systems) *PN* and SAWADA et al. (4,843,569)

As per claim 1, Goodenough teaches the claimed "method of obtaining a map in a computer graphics program" comprising: "receiving a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtaining a map file in response to the request" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determining, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtaining the map data from the location, wherein the obtained map data

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satisfies the request for the map picture” (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is “vector based” map data. However, Drutman teaches that the feature map information, such as Goodenough’s depleted forest data, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). Furthermore, Sawada teaches that a map file containing vector-based objects defines a specific object on the map by its label number or identify code and the identify code will determine a storage location of its corresponding vector-based object (Sawana, column 1, lines 30-38, column 3, lines 29-36). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Sawana, to configure Goodenough’s method as claimed by storing the map representing the area’s features in a vector format (Drutman, page III-528, column 2, lines 28-30) in a location in memory identifiable by its identify code or label number. The motivation for storing the map representing the objects in a vector format in a location in memory identifiable by its identify code or label number is the simplicity of map file with its vector-based objects represented by their identify codes (Sawada, column 2, lines 18-49).

RESPONSE TO APPLICANT’S ARGUMENTS.

Applicant's arguments filed June 6, 2005 have been fully considered but they are not deemed to be persuasive.

First, in page 1203, column 1, lines 11-12, Goodenough states "Since Plan A has now performed the TM classification, the label_segments operator for the color imagery will now succeed," implying the obtaining of forest depletion data from the thematic-mapper (TM) imagery to form the forest depletion map, not "At this point we have expended no major processing costs in creating this plan" as Applicant argued. Anyway, Applicant now amend the claims to the map file containing the data for determining a "storage location" of the vector-based data. However, Sawana teaches that each vector-based object on a map is represented by its label number or identify code which is included in the map file; and the identify code on the map file will determine the storage location of the vector-based object (Sawana, column 1, lines 30-38, column 3, lines 29-36).

Claim 2 adds into claim 1 "wherein only the map data required to satisfy the request is obtained" which Goodenough teaches in the obtain of the depleted forest cover (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably

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represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 3 adds into claim 1 "displaying the map picture" which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 5 adds into claim 1 "creating the map file" which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 6 adds into claim 1 "setting map display properties and a level of interaction" which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-

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level); page 1202, column 1, lines 54-63, segment(color_ir_image); and label_segment(color-ir-image), page 1203, column 1, lines 6-7).

As per claim 8, Goodenough teaches the claimed "apparatus for obtaining a map computer-implemented graphics system" comprising "(a) a computer" (Goodenough, the SEIDAM intelligent system; page 1199, column 1, lines 41-46); "(b) an application executing on the computer" (Goodenough, the problem solver is written in Prolog; page 1203, column 1, lines 32-34), wherein the application is configured to: "receive a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtain a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determine, from the map file, a storage location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtain the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough

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teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3);

Goodenough does not explicitly teach that the obtained map data is “vector based” map data. However, Drutman teaches that the feature map information, such as

Goodenough's depleted forest area, is preferably represented in vector based format

(Drutman, representation of feature/attribute; Table II, page III-529). Furthermore,

Sawada teaches that a map file containing vector-based objects defines a specific

object on the map by its label number or identify code and the identify code will

determine a storage location of its corresponding vector-based object (Sawada, column

1, lines 30-38, column 3, lines 29-36). It would have been obvious to a person of

ordinary skill in the art at the time the invention was made, in view of the teaching of

Drutman and Sawada, to configure Goodenough's method as claimed by storing the

map representing the area's features in a vector format (Drutman, page III-528, column

2, lines 28-30) in a location in memory identifiable by its identify code or label number.

The motivation for storing the map representing the objects in a vector format in a

location in memory identifiable by its identify code or label number is the simplicity of

map file with its vector-based objects represented by their identify codes (Sawada,

column 2, lines 18-49).

Claim 9 adds into claim 8 “wherein only the map data required to satisfy the request is obtained” which Goodenough teaches in the obtain of the depleted forest

cover (Goodenough, the data from the thematic mapper is obtained to satisfy the

request for the map showing the forest depletion over past 20 years; page 1203, column

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1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is “vector based” map data. However, Drutman teaches that the feature map information, such as Goodenough’s depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough’s method as claimed by storing the map representing the area’s features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 10 adds into claim 8 “displaying the map picture” which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 12 adds into claim 8 “creating the map file” which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 13 adds into claim 8 “setting map display properties and a level of interaction” which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-level); page 1202, column 1, lines 54-63, segment(color_ir_image); and label_segment(color-ir-image), page 1203, column 1, lines 6-7).

As per claim 15, Goodenough teaches the claimed “article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map” comprising: “receiving a request for a map picture” (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); “obtaining a map file” (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); “determining, from the map file, a storage location of map data” (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), “wherein the map data defines one or more map objects of the map picture” (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and “obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture” (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines

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11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). Furthermore, Sawada teaches that a map file containing vector-based objects defines a specific object on the map by its label number or identify code and the identify code will determine a storage location of its corresponding vector-based object (Sawada, column 1, lines 30-38, column 3, lines 29-36). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Sawada, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format (Drutman, page III-528, column 2, lines 28-30) in a location in memory identifiable by its identify code or label number. The motivation for storing the map representing the objects in a vector format in a location in memory identifiable by its identify code or label number is the simplicity of map file with its vector-based objects represented by their identify codes (Sawada, column 2, lines 18-49).

Claim 16 adds into claim 15 "wherein only the map data required to satisfy the request is obtained" which Goodenough teaches in the obtain of the depleted forest cover (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column

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1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 17 adds into claim 15 "displaying the map picture" which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 19 adds into claim 15 "creating the map file" which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 20 adds into claim 15 "setting map display properties and a level of interaction" which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-level); page 1202, column 1, lines 54-63, segment(color_ir_image); and label_segment(color-ir-image), page 1203, column 1, lines 6-7).

Claims 4, 7, 11, 14, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over GOODENOUGH et al. (Queries and Their Application to Reasoning with Remote Sensing and GIS) in view of DRUTMAN et al. (Marine Geophysics Modeling With Geographic Information Systems) and Sawada et al., as applied to claims 1, 8, and 17 above, and further in view of SLIK et al. (5,809,145).

Claim 4 adds into claim 1 "the vector based map data is obtained from a map server across a network connection" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line 26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough's method as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 7 adds into claim 1 “wherein the claim steps are performed by a browser plug-in” which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet through “a browser plug-in” (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough’s method as claimed by sending the map data over a network connection through “a browser plug-in” because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 11 adds into claim 8 “the vector based map data is obtained from a map server across a network connection” which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line 26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough’s apparatus as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 14 adds into claim 8 “wherein the claim steps are performed by a browser plug-in” which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet through “a browser plug-in” (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough’s method as claimed by sending the map data over a network connection through “a browser plug-in” because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 18 adds into claim 15 “the vector based map data is obtained from a map server across a network connection” which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line 26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough’s article of manufacture as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 21 adds into claim 15 “wherein the claim steps are performed by a browser plug-in” which both of Goodenough and Drutman do not teach. However, Slik teaches

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that the GIS information is transferable from a map server across the Internet through “a browser plug-in” (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, Sawada and Slik, to configure Goodenough’s article of manufacture as claimed by sending the map data over a network connection through “a browser plug-in” because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, bipin Shalwala can be reached on (571) 272 7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu K. Nguyen
August 28, 2005


PHU K. NGUYEN
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